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10/802,658	03/17/2004	Leo Martin Baschy	5532-2	2674

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EXAMINER	
PHAM, LINH K	

ART UNIT	PAPER NUMBER
2174	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/802,658	BASCHY, LEO MARTIN	
	Examiner	Art Unit	
	LINH K. PHAM	2174	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *17 March 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-33* is/are pending in the application.

4a) Of the above claim(s) *13-27* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-12 and 28-33* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *17 March 2004* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *11/07/2006*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. This Office Action is in response to the Response to Restriction Requirement and Preliminary Amendment filed on November 12, 2007. Claims 28-33 are added.

Election/Restrictions

2. Applicant's election without traverse of Group I (Claims 1-12) in the reply filed on 11/12/2007 is acknowledged.

Priority

3. This application discloses and claims only subject matter disclosed in prior Application No. 60/320,013, filed March 17, 2003, and names an inventor or inventors named in the prior application. Accordingly, this application may constitute a continuation or division. Should applicant desire to obtain the benefit of the filing date of the prior application, attention is directed to 35 U.S.C. 120 and 37 CFR 1.78.

Information Disclosure Statement

4. The information disclosure statement (IDS) submitted on November 17, 2006 was filed after the mailing date of the application No. 10/802,658 on 3/17/2004. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Drawings

5. **The drawings *(figures 10-23)* are objected** to under 37 CFR 1.83(a) because they fail to show the text size within the figures are to small to legible as described in the specification. Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

6. **The disclosure is objected** to because it contains an embedded hyperlink and/or other form of browser-executable code. Applicant is required to delete the embedded hyperlink and/or other form of browser-executable code. See MPEP § 608.01.

7. **The disclosure is objected** to because of the following informalities:

Buttons 510-514 are mentioned in the specification *(para. 0084)*; however, there are no buttons 510-514 in the Fig. 10.

The phrase "a key combination" is mentioned in the Specification *(para. 0097)*; however, there is no further explain action of the key combination.

Appropriate corrections are required.

8. **The Specification of the disclosure is objected** to because the abbreviation RGB and HSB *(para.0116)* are used in the specification; however, there is no definition for these acronyms in this application. Correction is required. See MPEP § 608.01(b).

Claim Rejections - 35 USC § 112

9. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Regarding claims 5 and 32, the term "a likeness of the user" is a relative term which renders the claim indefinite. The term "a likeness of the user" is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the

invention. For the purpose of applying prior art, the examiner interprets the term "*a likeness of the user*" to mean "*default setting by the user*."

Claim Rejections - 35 USC § 102

10. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

11. **Claims 1-4, 7-8 and 33 are rejected under 35 U.S.C. 102(e)** as being anticipated by Hildebrand et al. ("Hildebrand", US 2004/0103202).

Regarding claim 1, Hildebrand discloses a graphical user interface *(Figs. 2D and 2E)* for representing and facilitating user manipulation of revocable access control settings *(para. 0108; Fig. 2D)* for a resource comprising:

one or more display regions for graphical representations of access control settings for the resource *(paras. 0108 and 0135; Figs. 2D and 5B.1)* which result from transformations applied to the structured data which defines the access control settings for the resource *(para. 0108; Fig. 2D, system administrator is able to add/delete users into access list 276 using GUI 275)*; and

one or more display regions for representation of the resource *(Fig. 2D; username windows and group boxes)*;

wherein the set of display regions for representations of the settings and the display region for representation of the resource appear to the operator as in an integrated graphical user interface *(para. 0108; Fig. 2D; username windows, group boxes, action check-boxes 277 (read, update, delete, etc.), add, delete, apply, and administrator-menu buttons are shown on the AdmGrp GUI 275)*.

Regarding claim 2, Hildebrand discloses the graphical user interface of claim 1, wherein one or more functions modify the spatial layout of the display regions *(para. 0108; Fig. 2D; action check-boxes 277 (read, update, delete, etc.), and action buttons (add, delete, apply) are known as the functions modify)*.

Regarding claim 3, Hildebrand discloses the graphical user interface of claim 1, wherein one or more functions modify the number of the display regions *(para. 0108; Fig. 2D; para. 0108; Fig. 2D; action check-boxes 277 (read, update, delete, etc.), and action buttons (add, delete, apply) are known as the functions modify; see also para. 0135 and Fig. 5B.1)*.

Regarding claim 4, Hildebrand discloses the graphical user interface of claim 1, wherein one or more functions modify the transformations that are applied to the structured data *(paras. 0108 and 0135; Figs. 2D and 5B.1; system administrator is able to define user group as well as add/delete users into access list 276 using GUI 275)*.

Regarding claim 7, Hildebrand discloses the graphical user interface of claim 1, wherein the set of display regions further comprises:

a display region for a graphical representation of a set of groups, users and roles and their respective access privileges as defined by existing structured data for the resource *(Figs. 2D-2E and 5B.1 depict user group, user access level, and respective access permissions)*; and

a display region for a graphical representation of the result of transforming the set of groups and users and their respective access privileges into a corresponding set of individual users only and their respective effective access privileges *(Figs. 2D-2E and 5B.1 depict user group, user access level, and respective access permissions; see also paras. 0102 and 0135)*.

Regarding claim 8, Hildebrand discloses the graphical user interface of claim 1, further comprising a first display region for a graphical representation of at least one set of known users and groups, wherein the operator can designate indicia for known users and groups and visually associate the designated indicia with a second display region to change the structured data which defines the access control settings for the resource *(paras. 0108 and 0135; Figs. 2D and 5B.1; system administrator is able to define user group as well as add/delete users into access list 276 using GUI 275)*.

Regarding claim 33, Hildebrand further teaches the graphical user interface of claim 8, wherein the set further comprises access control settings macros and the operator can designate indicia for macros and visually associate the designated indicia with the

second display region to change the structured data which defines the access control settings for the resource *(para. 0205; user is able to modify the access control system for automated setting operations)*.

Claim Rejections - 35 USC § 103

12. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

13. **Claims 5 and 9 are rejected under 35 U.S.C. 103(a)** as being unpatentable over Hildebrand et al. ("Hildebrand", US 2004/0103202) in view of Bhetanabhotla et al. ("Bhetanabhotla", US 2002/0137538).

Regarding claim 5, Hildebrand teaches all limitations as recited in claim 1, but does not explicitly disclose the step of wherein a user is graphically represented by a display element comprising, at least in part, a likeness of the user.

However, Bhetanabhotla teaches a method comprising flexible organization of information using multiple hierarchical categories wherein a user is graphically represented by a display element comprising, at least in part, a likeness of the user *(para. 0066; Fig. 1; the information item is displayed on the area content 130)*.

Therefore, it would have been obvious to an artisan at the time invention was made to combine the teachings of Bhetanabhotla with the method of Hildebrand in order to provide users with a means to share information right from out of one's computer system while enforcing permissions and monitoring activities *(para. 0031)*.

Regarding claim 9, Hildebrand teaches all limitations as recited in claim 8, but does not disclose the steps of wherein the first display region is reduced in size until activated by the user, and the first display region is increased in size upon activation.

However, Bhetanabhotla teaches a method comprising flexible organization of information using multiple hierarchical categories wherein the first display region is reduced in size until activated by the user, and the first display region is increased in size upon activation *(para. 0123; Fig. 1)*.

Therefore, it would have been obvious to an artisan at the time invention was made to combine the teachings of Bhetanabhotla with the method of Hildebrand in order to provide users with a means to share information right from out of one's computer system while enforcing permissions and monitoring activities *(para. 0031)*.

14. **Claims 10-12, 28 and 30-31 are rejected under 35 U.S.C. 103(a)** as being unpatentable over Hildebrand et al. ("Hildebrand", US 2004/0103202) in view of Sekiguchi (US 6,711,687).

Regarding claim 10, Hildebrand teaches a graphical user interface for representing access log information and access control settings for a resource, wherein at least one display region contains a graphical representation of a set comprising one or more individual users, and wherein each of the individual users is graphically represented by a visual element which comprises:

the identity of the individual user having read privilege for the resource *(para. 0102; Fig. 2C.1; user A has read permission to the document; see also para. 0135 and Fig. 5B.1)*; and

a differing visual element for indicating if the user has write privilege for the resource *(para. 0102; Fig. 2C.1; user D has read and write permissions to the document; see also para. 0135 and Fig. 5B.1)*; and one or more of the following visual elements:

Hildebrand teaches all limitations as recited above, but does not disclose: the step of the time of the most recent read access by the user to the resource; time of the most recent write access by the user to the resource; indication whether the most recent write access by the user to the resource is the most recent write access by any user to the resource; indication whether the most recent read access by the user to the resource has been before the most recent write access by any user to the resource; and indication whether the user currently is without read privilege for the resource.

However, Sekiguchi teaches the steps of the time of the most recent read access by the user to the resource *(col. 5, lines 14-55; the security management unit 112 executes statistical process of the access log 201 to obtain security management information 203 which includes the most recent access to the document)*;

the time of the most recent write access by the user to the resource *(col. 5, lines 14-55)*;

indication whether the most recent write access by the user to the resource is the most recent write access by any user to the resource *(col. 5, lines 14-55)*;

indication whether the most recent read access by the user to the resource has been before the most recent write access by any user to the resource *(col. 5, lines 14-55)*;

indication whether the most recent read access by the user to the resource has been since the most recent write access by any user to the resource *(col. 5, lines 14-55)*; and

indication whether the user currently is without read privilege for the resource *(col. 4, lines 6-19 and col. 5, lines 14-55)*.

Therefore, it would have been obvious to an artisan at the time invention was made to combine the teachings of Sekiguchi with the method of Hildebrand in order to provide a security monitoring system that performs more powerful maintenance and management of security (col. 2, lines 6-12).

Regarding claim 11, Hildebrand further teaches the graphical user interface of claim 10, wherein the set of individual users consists of:

the set of users who have any access privilege at all for the resource *(para. 0135; Fig. 5B.1; user A has all access permissions, user B has only open and print permissions, and users in user group C have open, edit, write, and download permissions for the document)* and

the set of users who have accessed the resource in the past although they currently are without any access privilege for the resource *(paras. 0073, 0102, and 0135; a system administrator is able to change access privilege of a user at any time using administration interface 506)*.

Regarding claim 12, Hildebrand further teaches the graphical user interface of claim 10, further comprising a display region for a representation of the resource, wherein the display region for representation of the set of users and the display region for representation of the resource appear to the operator as an integrated graphical user interface *(para. 0108; Fig. 2D; username windows, group boxes, action check-boxes 277 (read, update, delete, etc.), add, delete, apply, and administrator-menu buttons are shown on the AdmGrp GUI 275)*.

Regarding claim 28, Sekiguchi further teaches the graphical user interface wherein graphical representations of users are sorted by one or more of the following attributes:

the time of the most recent access by the user *(col. 5, lines 14-55; the security management unit 112 executes statistical process of the access log 201 to obtain security management information 203 which includes the most recent access to the document)*;

the time of the most recent write access by the user *(col. 5, lines 14-55)*; and

current privileges the user has for the resource *(paras. 0013-0016)*.

Regarding claim 30, Hildebrand further teaches the graphical user interface of claim 12, wherein the set of individual users consists of:

the set of users who have any access privilege at all for the resource *(para. 0135; Fig. 5B.1; user A has all access permissions, user B has only open and print permissions, and users in user group C have open, edit, write, and download permissions for the document)*; and

the set of users who have accessed the resource in the past although they currently are without any access privilege for the resource *(paras. 0073, 0102, and 0135; a system administrator is able to change access privilege of a user at any time using administration interface 506)*.

Claim 31 is similar in scope to claim 28, and is therefore rejected under similar rationale.

15. **Claims 6 is rejected under 35 U.S.C. 103(a)** as being unpatentable over Hildebrand et al. ("Hildebrand", US 2004/0103202) in view of Bhetanabhotla et al. ("Bhetanabhotla", US 2002/0137538), and further in view of Steinberg (US 2002/0141639).

Regarding claim 6, Hildebrand and Bhetanabhotla teach all limitations as recited in claim 5, but do not explicitly disclose the steps of wherein the likeness comprises, at

least in part, a digital photograph, processed by a method including at least one step selected from the set of: adjusting image color saturation toward a predetermined target saturation level; adjusting image brightness toward a predetermined target brightness level; adjusting image contrast toward a predetermined target contrast level; adjusting image sharpness toward a predetermined target sharpness level; converting to grayscale; and masking with a shape selected from a set comprising ovals and outlines of a bust.

However, Steinberg teaches the method for automated image correction for digital image acquisition wherein the likeness comprises, at least in part, a digital photograph, processed by a method including at least one step selected from the set of *(para. 0001; method for transforming the colors in a digital image to a color corrected digital image)*:

adjusting image color saturation toward a predetermined target saturation level *(para. 0004)*;

adjusting image brightness toward a predetermined target brightness level *(paras. 0012-0014)*;

adjusting image contrast toward a predetermined target contrast level *(paras. 0012-0014)*;

adjusting image sharpness toward a predetermined target sharpness level *(para. 0031)*;

converting to grayscale *(para. 0011)*; and

masking with a shape selected from a set comprising ovals and outlines of a bust (para. 0044).

Therefore, it would have been obvious to an artisan at the time invention were made to combine the teachings of Steinberg with the method of Hildebrand and

Bhetanabhotla in order to provide automated color correction for differenced between the reference colors in a color chart and adjust for brightness and optimum contrast *(para. 0014)*.

16. **Claims 29 and 32 are rejected under 35 U.S.C. 103(a)** as being unpatentable over Hildebrand et al. ("Hildebrand", US 2004/0103202) in view of Sekiguchi (US 6,711687), and further in view of Bhetanabhotla et al. ("Bhetanabhotla", US 2002/0137538).

Regarding claim 29, Hildebrand and Sekiguchi teach all limitations as recited in claim 10, but does not explicitly disclose the step of wherein a user is graphically represented by a display element comprising, at least in part, a likeness of the user.

However, Bhetanabhotla teaches the graphical user interface wherein a user is graphically represented by a display element comprising, at least in part, a likeness of the user *(para. 0066; Fig. 1, the information item is displayed on the area content 130)*.

Therefore, it would have been obvious to an artisan at the time invention was made to combine the teachings of Bhetanabhotla with the method of Hildebrand and Sekiguchi in order to provide users with a means to share information right from out of one's computer system while enforcing permissions and monitoring activities *(para. 0031)*.

Claim 32 is similar in scope to claim 29, and is therefore rejected under similar rationale.

Inquiries

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LINH K. PHAM whose telephone number is (571)270-3230. The examiner can normally be reached on Monday to Thursday from 7:30AM to 5:00PM (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A. Wiley can be reached on (571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

December 31, 2007
/Linh K Pham/
Examiner, Art Unit 2174

/David A Wiley/
Supervisory Patent Examiner, Art Unit 2174